

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN

JODY LYNN FERGUSON, Personal
Representative of the Estate of Mark
Erwin Ferguson,

Hon. Paul L. Maloney

Plaintiff,

Case No. 1:16-cv-01099-PLM

v.

MUSKEGON, COUNTY OF, et al.,

Defendants,

_____ /

ORDER

This matter is before the Court on Plaintiff's motion to compel discovery. (ECF No. 27). Defendants responded. (ECF No. 28, 29). The Court conducted a hearing on the motion today, at which counsel for all parties appeared. Having considered the parties' oral and written submissions, and for the reasons stated on the record, the motion is **GRANTED in part** and **DENIED in part**. Accordingly,

IT IS ORDERED that defendants shall, within fourteen days of the date of this Order, produce to plaintiff the cell phone numbers and carriers for the relevant personal cell phones; plaintiff may use this information solely to subpoena phone records for each such phone for the dates November 18 and 19, 2014. Such cell phone records shall be subject to the terms of the protective order (ECF No. 19).

IT IS FUTHER ORDERED that each defendant shall, within fourteen days of the date of this Order, certify to plaintiff that each defendant has conducted a

search for documents responsive to request 6 and that each defendant has produced all responsive documents.

IT IS FUTHER ORDERED that the county defendant shall, within fourteen days of the date of this Order, certify that all documents responsive to request 4 have been produced; Counsel for the county defendant shall make reasonable efforts to provide plaintiff with information needed to understand to what discovery request a previously produced document is responsive.

IT IS FUTHER ORDERED that each defendant shall, within fourteen days of the date of this Order, fully respond to interrogatory 12, and to identify any document that contains information responsive to that interrogatory, certifying the accuracy of the response.

IT IS FUTHER ORDERED that defendants Morris and Longmire shall, within fourteen days of the date of this Order, respond to interrogatory 15.

IT IS FUTHER ORDERED that the county defendant shall, within fourteen days of the date of this Order, produce documents responsive to request 18; such documents to be subject to the protective order (ECF No. 19), except that these documents are subject to the additional restriction that they may be disclosed only to attorneys of record in this case pending further order of the Court. Plaintiff reserves the right to revisit the issue concerning the search of documents responsive to request 18 following the Rule 30(b)(6) deposition.

IT IS FUTHER ORDERED that the county defendant shall, within fourteen days of the date of this Order, produce documents responsive to request 34 for the years 2012 and 2013.

Plaintiff's motion to compel (ECF 27) is otherwise **DENIED**.

IT IS SO ORDERED.

Date: August 2, 2017

/s/Phillip J. Green
PHILLIP J. GREEN
United States Magistrate Judge